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BROOKDALE SENIOR LIVING INC.
 and **BROOKDALE SENIOR LIVING
 COMMUNITIES, INC.**

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

STACIA STINER, et al.,

Plaintiffs,

v.

BROOKDALE SENIOR LIVING INC., et
 al.

Defendants.

Case No. 4:17-cv-03962-HSG

**PARTIES' STIPULATION AND
 ORDER RE EXTENSION FOR
 FILING PROPOSED JURY
 INSTRUCTIONS**

1
2 Plaintiffs and Defendants (collectively, the “Parties”), by their undersigned counsel, respectfully
3 stipulate as follows:

4 WHEREAS, the pretrial conference for this action is currently set for December 17, 2024.

5 WHEREAS, pursuant to the Court’s Civil Pretrial and Standing Order, the current deadline for
6 the parties to file a joint pretrial statement and proposed order, proposed jury instructions, proposed voir
7 dire questions, proposed verdict forms, proposed statement of the case and trial briefs is December 3,
8 2024, fourteen days before the December 17 pretrial conference.

9 WHEREAS, the parties have engaged in multiple extensive meet and confer efforts regarding the
10 above documents, including the proposed pre-trial statement and statement of the case, the admissibility
11 of and objections to the proposed exhibits and demonstratives, the proposed jury instructions and are
12 continuing to work through their differences to see if they can narrow and clarify the issues that are
13 outstanding between the parties and to eliminate unnecessary exhibits, objections and/or instructions.

14 WHEREAS, due to several factors, including the large and complex number of claims, the
15 substantial amount of applicable accessibility standards, the complexity of issues to be presented at trial,
16 and, correspondingly, the large number of proposed jury instructions, the parties believe that extra time
17 will be necessary to finish drafting and conferring about their proposed jury instructions, prepare
18 statements in support of genuinely disputed instructions, and prepare a final joint submission that is
19 properly organized. Similarly, the parties believe that additional time will be necessary to finish
20 conferring about and completing proposed voir dire questions and proposed special verdict forms. The
21 parties’ efforts to narrow their disputes are in good faith and are continuing and have already resulted in
22 the identification of several jury instructions that are unnecessary or that can be revised such that the
23 issues to be resolved by the Court will be narrowed and/or reduced.

24 WHEREAS, for the foregoing reasons, the Parties believe that there is good cause to modify the
25 schedule to permit the parties two extra days to finish preparing their proposed jury instructions and
26 supporting statements, the proposed voir dire questions and proposed special verdict forms. The parties
27
28

expect that they will be able to timely file all other documents and information required to be filed by December 3, 2024.

THEREFORE, IT IS HEREBY STIPULATED, subject to the approval of the Court, that:

The deadline for the parties to file their proposed jury instructions and supporting statements, their proposed voir dire questions and proposed special verdict forms is extended by two days to December 5, 2024.

The deadline for the parties to submit their courtesy copies of all of their pretrial filings per ¶ 6 of the Court's standing order is extended by two days to December 6, 2024 to ensure that the binders include all of the required materials, including the proposed jury instructions and supporting statements, their proposed voir dire questions and proposed special verdict forms.

IT IS SO STIPULATED.

DATED: December 2, 2024

MOORE & LEE, P.C.

/s/ Erica Rutner

Erica Rutner
Attorneys for Defendants

DATED: December 2, 2024

SCHNEIDER WALLACE COTTRELL
KONECKY LLP

/s/ Guy B. Wallace

Guy B. Wallace
Attorneys for Plaintiffs and the Certified
Classes

ATTORNEY ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest that all other signatures listed, in whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

/s/ Guy B. Wallace

Guy B. Wallace

CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2024, I electronically filed the foregoing document with the Clerk of the Court using the Court's CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ Guy B. Wallace

Guy B. Wallace

ORDER

Pursuant to Stipulation, and for good cause shown, the Parties' Stipulation is GRANTED.

The deadline for the parties to file their proposed jury instructions and supporting statements, their proposed voir dire questions and proposed special verdict forms is extended by two days to December 5, 2024.

The deadline for the parties to submit their courtesy copies of all of their pretrial filings per ¶ 6 of the Court's standing order is extended by two days to December 6, 2024 to ensure that the binders include all of the required materials, including the proposed jury instructions and supporting statements, their proposed voir dire questions and proposed special verdict forms.

IT IS SO ORDERED.

Dated: 12/3/2024


HON. HAYWOOD S. GILLIAM, JR.
United States District Judge